

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE**

ART+COM Innovationpool GmbH,	)	
	)	
Plaintiff,	)	C.A. No. 14-cv-217-TBD
	)	
vs.	)	<b>DEMAND FOR JURY TRIAL</b>
	)	
GOOGLE INC.,	)	
	)	
Defendant.	)	

**[PROPOSED] VOIR DIRE TO JURY PANEL**

Good morning, ladies and gentlemen. I am Judge Dyk. We are going to select a jury in a civil case called ART+COM Innovationpool GmbH v. Google Inc.

I am going to ask you a series of questions to help the Court and the attorneys in the jury selection process. Before I ask any questions, I am going to ask the Deputy Clerk to swear the jury panel to answer any questions truthfully. (To Deputy, Please swear the panel).

If any of you answer “yes” to any of the questions that I ask, please raise your hand at the end of my questions, and, when recognized by me, please stand, state your name and your jury number. At the end of the questions, the Deputy Clerk will ask some of you to take seats in the jury box, and, after that, the lawyers and I may ask those of you who answered “yes” to one or more questions to come up to the bench to discuss your answers with the lawyers and me.

The presentation of evidence in this case is expected to take about four days, and arguments and jury deliberations will extend your service into the next day or possibly beyond that. The schedule that I expect to keep over the days of evidence presentation will include a morning break of fifteen minutes, a lunch break of an hour, and an afternoon break of fifteen minutes. We will start at 9:00 a.m. and finish no later than 5:00 p.m. each day.

1. Does the schedule that I have just mentioned present a special problem to any of you?

2. This is a patent lawsuit involving the use of computers, including tablets and smart phones, to access geographical information from various points of view selected by a user and then display the images for those points of view. The Plaintiff is ART+COM Innovationpool GmbH. It has sued the Defendant Google Inc. ART+COM claims that certain Google products, including Google Earth, infringe its patent. Google denies infringement and also says the patent is invalid. The jury in this case will be asked to decide whether Google's products infringe ART+COM's patent, and whether the patent is valid. For those of you who end up being on the jury, I will give more detailed instructions on the law later in the case.

**Have any of you heard or read anything about this case?**

3. Based on the description of the case, is there anything that makes you think that you couldn't be a fair and impartial juror in this case?

4. You have been given a list of companies and organizations in Attachment A.

- a. Have you or a member of your immediate family ever worked for any of these companies or organizations?
- b. Do you or a member of your immediate family now own, or have you or any such member ever owned, any stocks or bonds in any of those companies or organizations?
- c. Have you or a member of your immediate family had any business dealings with, or relied financially in any way on, any of the companies or organizations?
- d. Have you or a member of your immediate family had any experience, good or bad,

with the products of any of those companies, including Google Earth or Google Maps, that might keep you from being a fair and impartial juror in this case?

- e. Do you possess any opinions about any of these companies that might keep you from being a fair and impartial juror in this case?

5. You have been given a list of the attorneys and law firms involved in this litigation in Attachment B.

- a. Are you related to, or personally acquainted with, any of those attorneys, or have you ever been represented by any of those attorneys or other associates or members of the listed law firms?
- b. Do any of you or your immediate families, such as spouse, child, parent, or sibling, know any of the attorneys or law firms I have just named?
- c. Have any of you or your immediate families had any business dealings with, or been employed by, any of these attorneys or law firms?
- d. Do you have any negative views or opinions of the named attorneys or law firms that were just mentioned?

6. You have been given a list of the individuals who might appear as witnesses in this case in Attachment C. Are you related to, or personally acquainted with, any of those individuals?

7. You have been given a list of subject areas in Attachment D. Have you ever been educated, employed, trained, or had any significant experience in the subject areas listed in Attachment D.?

8. Do you have any experience with the operation and use of Google Earth and/or Google Map products?

9. Have you or any member of your immediate family ever been employed by the United States Patent and Trademark Office?

10. Have you or any member of your immediate family ever been employed by the United States government?

11. Have you or any member of your immediate family ever applied for, or obtained, a United States or foreign patent?

12. Have you, your current or former employers, or any member of your immediate family ever been involved in a dispute about patent rights?

13. Have you or any member of your immediate family ever been involved in the licensing of patents or other intellectual property rights?

14. Do you have any opinions about patents, patent rights, or the United States Patent and Trademark Office that might make it difficult for you to be a fair and impartial juror in this case?

15. Do you believe it would be wrong for someone to profit from or be awarded damages for his or her invention or discovery?

16. Does anyone have any positive or negative feelings about large corporations?

Have you served on a jury in a civil case within the last fifteen years?

Have you, a member of your family, or your employer (past or present) been involved in a civil case as a party or a witness within the last fifteen years? Do you have any negative views about that involvement?

If you are selected to sit as a juror in this case, are you aware of any reason why you would be unable to render a verdict based solely on the evidence presented at trial?

If you are selected to sit as a juror in this case, are you aware of any reason why you would not be able to follow the law as I give it to you?

Is there anything, such as poor vision, difficulty hearing, difficulty understanding spoken or written English, that would make it difficult for you to serve on this jury?

This is the last question. Is there anything else, including something you have remembered in connection with one of the earlier questions, that you would like to tell me in connection with your service as a juror in this case?

**Attachment A: Companies and Organizations**

- ART+COM Innovationpool GmbH or any related companies
- Google Inc. or any related companies
- Keyhole Inc.
- Silicon Graphics Inc. (also known as SGI) or SRI International

**Attachment B: Law Firms and Lawyers**

- Baker Botts LLP
- Farnan LLP
- O'Melveny & Myers LLP
- Morris, Nichols, Arsht & Tunnell LLP
- Scott Partridge
- Gene Spears
- Michael Hawes
- Ryan Pinckney
- Natalie Alfaro
- Thomas Rooney
- Michelle Eber
- Jennifer L. Nall
- Michael Silliman
- Brian E. Farnan
- Michael J. Farnan
- Darin Snyder
- Brett Williamson
- Luann Simmons
- David Almeling
- Mark Liang
- Mishima Alam
- John Zhu
- Jack Blumenfeld
- Paul Saindon

**Attachment C: Witnesses**

- Michael Jones
- John Rohlf
- Brian McClendon
- John Hanke
- Axel Schmidt
- Joachim Sauter
- Pavel Mayer
- Gerd Gruneis
- Detlef Andreovits
- Peter Birch
- Evan Parker
- Julien Mercay
- Olivier Bailly
- Jim Maccoun
- Andreas Wiek
- Gopal Shah
- Michael Roszak
- Stephen Lau
- Peter Lindstrom
- Phyllis Bell
- David Pratt
- Bernard Rous
- David Stringer-Calvert
- Michael Zyda
- Kenneth Castleman
- James Nawrocki
- Brett Reed
- Michael Goodchild



**Attachment D: Subject Areas**

- Law
- Patents or intellectual property
- Computer software and/or hardware engineering or development or programming
- Developing or writing computer source code
- Computer graphics
- Computer networks or servers
- Geographical Information Systems or GIS systems